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July 29, 2002

PATENT APPLICATION
DOCKET NO. 2709.1001-001

31634



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED

AUG 07 2002

TECH CENTER 1600/2900

Gary L. Breton

Application No.:

09/540,209

Group: 1634

Filed:

April 4, 2000

Examiner: S.A. Sakelaris

For: NUCLEIC ACID AND AMINO ACID SEQUENCES RELATING TO
BACTEROIDES FRAGILIS FOR DIAGNOSTICS AND THERAPEUTICS

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Assistant Commissioner for Patents, P.O. Box 2327, Arlington, VA 22202

on 7/29/02 Katie Norris
Date Signature

Katie Norris
Typed or printed name of person signing certificate

Assistant Commissioner for Patents
P.O. Box 2327
Arlington, VA 22202

Sir:

Transmitted herewith is a Reply to Restriction Requirement and Preliminary Amendment for filing in the above-identified application.

Small entity status of this application under 37 C.F.R. 1.9 and 1.27 has been established by a Small Entity Statement previously submitted.

A Small Entity Statement to establish small entity status under 37 C.F.R. 1.9 and 1.27 is enclosed.

The fee has been calculated as shown below:

(COL. 1)

(COL. 2)

(COL. 3)

	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA
TOTAL	28	MINUS	* 28	0
INDEP	9	MINUS	** 9	0
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				

SMALL ENTITY

RATE	ADDIT. FEE
X \$ 9	\$
X \$42	\$
+ \$140	\$

OR

OTHER THAN
SMALL ENTITY

RATE	ADDIT. FEE
X \$18	\$ 0
X \$84	\$ 0
+ \$280	\$

* not fewer than 20

** not fewer than 2

TOTAL = \$ 0

TOTAL = \$ 0

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Please charge Deposit Account No. 08-0380 for the following fees:

<input type="checkbox"/>	Petition for [] month Extension of Time	\$ _____
<input type="checkbox"/>	Amendment Fee	\$ _____
<input type="checkbox"/>	Other Fees:	\$ _____
		\$ _____
		\$ _____
TOTAL:		\$ <u> 0 </u>

A check is enclosed in payment of the following fees:

<input checked="" type="checkbox"/>	Petition for two month Extension of Time	\$ <u> 400 </u>
<input type="checkbox"/>	Amendment Fee	\$ _____
<input type="checkbox"/>	Other Fees:	\$ _____
		\$ _____
		\$ _____
TOTAL:		\$ <u> 400 </u>

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[X] A general authorization is hereby granted to charge Deposit Account No. 08-0380 for any fees required under 37 C.F.R. 1.16 and 1.17 in order to maintain pendency of this application. A copy of this authorization is enclosed for accounting purposes.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By Doreen M. Hogle
Doreen M. Hogle
Registration No.: 36,361
Telephone (978) 341-0036
Facsimile (978) 341-0136

Concord, Massachusetts 01742-9133

Dated: July 29, 2002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Applicant: Gary L. Breton 
Application No.: 09/540,209 Group Art Unit: 1634 TECH CENTER 1600/2900
Filed: April 4, 2000 Examiner: S.A. Sakelaris
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Desya
8/4/02

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2327, Arlington, VA 22202

on 7/21/02 Katie Norris
Date Signature

Katie Norris
Typed or printed name of person signing certificate

REPLY TO RESTRICTION REQUIREMENT
AND
PRELIMINARY AMENDMENT

Assistant Commissioner for Patents
P.O. Box 2327
Arlington, VA 22202

Sir:

Responsive to the Restriction Requirement dated May 6, 2002, the claims of Group I (Claims 1-13), drawn to polynucleotides, vectors, host cells containing same, methods of expression of nucleic acids and as vaccine compositions, are hereby elected for prosecution. Applicant reserves the right to file a continuing application or take such other appropriate action as deemed necessary to protect the non-elected inventions. Applicant does not hereby abandon or waive any rights in the non-elected inventions.

Responsive to the requirement for an election of a sequence, Applicant hereby elects nucleic acid sequence SEQ ID NO:4084 encoding the polypeptide sequence SEQ ID NO:9306.